

EXHIBIT 4

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ROGERS JOSEPH O'DONNELL

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March 12, 2019

VIA FACSIMILE AND FEDERAL EXPRESS

U.S. General Services Administration
FOIA Requester Service Center (H1F)
1800 F Street, NW, Room 7308
Washington, DC 20405-0001
Facsimile: (202) 501-2727

Re: Freedom of Information Act Request GSA-2019-000523

To Whom It May Concern:

This letter responds to your letter dated February 27, 2019 regarding processing fees for items 5 through 16 in the above-referenced FOIA Request, dated January 15, 2019.

With regard to the processing fees, GSA is prohibited from charging any such fees under the OPEN Government Act of 2007. This FOIA Request is dated January 15, 2019 and GSA acknowledged receipt on January 18, 2019 at 8:08 AM. GSA's 20-day statutory time period ran on February 15, 2019. Even if GSA's 20-day statutory time period ran from January 25, 2019, the date that Government appropriations were restored, the statutory time period ran on February 25, 2019. As such, GSA did not comply with the time limitations under FOIA and may not assess such processing fees. *See* 5 U.S.C. § 552(a)(4)(A)(viii); *see also Bensman v. Nat'l Park Serv.*, 806 F. Supp. 2d 31, 38 (D.D.C. 2011).

Although S.P. Plaza, LLC is not required to pay any fees, it will prioritize certain employees' records and keywords within items 5 through 16 of the Request to expedite processing. Below are the priority requests for initial processing. S.P. Plaza, LLC is in no way withdrawing its other requests and reserves the right to request such records after this initial processing. Additionally, items 1 through 4 in the Request are not altered in any way and remain priority items.

REQUESTED PRIORITY DOCUMENTS/INITIAL PROCESSING

Please provide the following priority records¹ to the undersigned as part of this

¹ An "agency record" includes "the products of data compilation, such as all books, papers, maps, photographs, and machine readable materials, inclusive of those in electronic form or

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initial processing and S.P. Plaza reserves the right to request the other records from its Request following this initial processing:

1. All documents² from the period of January 1, 2016 through January 15, 2019 that refer or relate to the McAllen Phase I GSA Feasibility Study titled, "U.S. Courthouse McAllen, TX Final Report 04.20.2017."
2. All documents from the period of January 1, 2016 through January 15, 2019 that refer or relate to the McAllen, Texas in-depth Housing Study, dated June 24, 2016, which is referenced on page 5 of the U.S. Courthouse McAllen, TX Final Report 04.20.2017.
3. All documents between GSA and Congress related to the U.S. Courthouse in McAllen, Texas from the period of January 1, 2016 through January 15, 2019, including those related to the current federal courthouse, Bentsen Tower, and the construction of any new federal courthouse.
4. All documents between GSA and the Administrative Office of the United States Courts related to the U.S. Courthouse in McAllen, Texas from the period of January 1, 2016 through January 15, 2019, including those related to the current federal courthouse, Bentsen Tower, and the construction of any new federal courthouse.
5. All emails from any and all of Robert Andrukonis' (Director, Center for Courthouse Programs) email accounts, from the period of January 1, 2016 through January 15, 2019, referencing:
 - a. McAllen
 - b. Bentsen Tower
 - c. S.P. Plaza
 - d. Cuellar
 - g. Hinojosa
 - h. Darling
6. All emails from any and all of Kendra Turner's (Director, Lease Project Delivery) email accounts, from the period of January 1, 2016 through January 15, 2019, referencing:

format, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law in connection with the transaction of public business and in DA possession and control at the time the FOIA request is made." 32 CFR § 518.7(b).

² As used herein, the term "document" should be interpreted broadly to include anything that constitutes an "agency record" including, but not limited to, emails and other electronic communications.

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- a. McAllen
 - b. Bentsen Tower
 - c. S.P. Plaza
 - d. Cuellar
 - g. Hinojosa
 - h. Darling
7. All emails from any and all of Dennis Miller's (PBS Southwest Region, Chief Architect) email accounts, from the period of January 1, 2016 through January 15, 2019, referencing:
 - a. McAllen
 - b. Bentsen Tower
 - c. S.P. Plaza
 - d. Cuellar
 - g. Hinojosa
 - h. Darling
8. All emails from any and all of Laura Stagner's (Assistant Commissioner, Office of Project Delivery) email accounts, from the period of January 1, 2016 through January 15, 2019, referencing:
 - a. McAllen
 - b. Bentsen Tower
 - c. S.P. Plaza
 - d. Cuellar
 - g. Hinojosa
 - h. Darling
9. All emails from any and all of David Insinga's (Chief Architect, Office of the Chief Architect) email accounts, from the period of January 1, 2016 through January 15, 2019, referencing:
 - a. McAllen
 - b. Bentsen Tower
 - c. S.P. Plaza
 - d. Cuellar
 - g. Hinojosa
 - i. Darling

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Please feel free to contact me by phone (202-777-8953) or by email
(lhimes@rjo.com) if you have any questions or need further information.

Best regards,

A handwritten signature in cursive script, appearing to read "Lisa N. Himes".

Lisa N. Himes